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Signature

Date

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: ALLEN John Gordon Group Art Unit: -

Serial No.: 10/598302 Examiner: -

Application Date: February 18, 2005 Conf No.: 2557

US Nat'l Entry

Date (if applicable):

For: 6-SUBSTITUTED 2,3,4,5-TETRAHYDRO-1H-
BENZO[D]AZEPINES AS 5-HT_{2C} RECEPTOR AGONISTS

Docket No.: X16115

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents
Mail Stop Missing Parts
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to a "Notice to File Missing Parts of Application" dated August 6, 2008, noting the absence of Summary of Fees Due from the papers filed with the above-identified application.

Enclosed herewith are: 1) a copy of the Notice and 2) a Fee Sheet required under 37 C.F.R. 371 for the amount of \$2600 for excess pages.

Please charge Deposit Account No. 05-0840 surcharge required by §1.16(e). The Commissioner is hereby authorized to charge any additional fees that may be required by this Response, or credit any overpayment, to Deposit Account No. 05-0840.

Respectfully submitted,

/R. Craig Tucker/
R. Craig Tucker
Attorney for Applicant(s)
Registration No. 45,165
Phone: 317-433-9829

Eli Lilly and Company
Patent Division
P.O. Box 6288
Indianapolis, Indiana 46206-6288
September 25, 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY DOCKET NO.
10/598,302	John Gordon ALLEN, et al	X16115

25885
ELI LILLY & COMPANY
PATENT DIVISION
P.O. BOX 6288
INDIANAPOLIS, IN 46206-6288

INTERNATIONAL APPLICATION NO.	
PCT/US2005/005418	
LA FILING DATE	PRIORITY DATE
09/09/2005	02/25/2004

RECEIVED

AUG 06 2008

ELI LILLY AND COMPANY
Patent Division

CONFIRMATION NO. 2557
371 FORMALITIES LETTER



Date Mailed: 08/06/2008

Due 10-6-08

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 08/24/2006
- Copy of the International Search Report filed on 08/24/2006
- Copy of IPE Report filed on 08/24/2006
- Preliminary Amendments filed on 10/04/2007
- Oath or Declaration filed on 06/09/2008
- U.S. Basic National Fees filed on 08/24/2006
- Priority Documents filed on 08/24/2006
- Specification filed on 08/24/2006
- Claims filed on 08/24/2006
- Abstracts filed on 08/24/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$2600 for a Large Entity:

- The specification and drawings submitted electronically contain the equivalent of more than 100 pages.
Applicant owes \$2600 for 490 pages in excess of 100 pages for a non-small entity.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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ELI LILLY AND COMPANY
Patent Division

INTERNATIONAL APPLICATION NO	
PCT/US2005/005418	
LA. FILING DATE	PRIORITY DATE
09/09/2005	02/25/2004

CONFIRMATION NO. 2557
371 WITHDRAWAL NOTICE



Date Mailed: 08/06/2008

Letter Regarding a New Notice and/or the Status of the Application

If a new notice or Filing Receipt is enclosed, applicant may disregard the previous notice mailed on 04/08/2008. The time period for reply runs from the mail date of the new notice. Within the time period for reply, applicant is required to file a reply in compliance with the requirements set forth in the new notice to avoid abandonment of the application.

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If the reply is not filed electronically via EFS-Web, the reply must be accompanied by a copy of the new notice.

If the Office previously granted a petition to withdraw the holding of abandonment or a petition to revive under 37 CFR 1.137, the status of the application has been returned to pending status.

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